



Comparison Between Business Licence Bylaw No. 644, 2017, and Draft Business Licence Bylaw, 2025

Summary

This report provides a detailed comparison between the existing Business Licence Bylaw No. 644, 2017 and the proposed new bylaw. The revisions are extensive and aim to modernize the regulatory framework, enhance administrative efficiency, and improve clarity and applicability for both staff and the business community.

Summary of Major Changes and Rationale

The following table summarizes the primary changes incorporated into the New Bylaw, as directed by the bylaw review process.

ID	Change Description	Rationale	Section in New Bylaw
1	Improved Structure and Logical Order	The entire bylaw has been restructured to enhance applicability and make the bylaw easier to navigate and understand for both staff and the public. The flow now follows a logical progression from interpretation and general provisions to application, fees, and enforcement.	Throughout
2	Removal of Forms and Schedules	All administrative forms and schedules (e.g., fee schedules, application forms) have been removed from the bylaw. Rationale: This provides staff with the necessary flexibility to update administrative procedures and forms as operational needs evolve, without requiring a formal bylaw amendment.	Part 2, Section 2.1
3	Relocation of Important Provisions	Critical regulatory provisions that were previously contained within the now-removed administrative forms or buried in definitions have been moved into the main body of the bylaw to ensure they are properly codified and enforceable.	Part 4, Section 4.2

ID	Change Description	Rationale	Section in New Bylaw
4	Minor Wording and Clarity Changes	Numerous minor changes to wording throughout the document have been made to enhance clarity, avoid potential conflicts, eliminate ambiguity, and reduce redundancy, resulting in a more precise and legally sound document.	Throughout
5	"Open-Ended" Cross-Legislation References	References to other municipal legislation (e.g., Fees and Charges Bylaw, Zoning Bylaw) are now "open-ended" by removing specific bylaw numbers and including the wording "as amended from time to time." Rationale: This future-proofs the bylaw, ensuring it remains consistent with any future amendments to the referenced legislation.	Throughout
6	Switch from Zone-Based to Activity-Based Categories	The classification system for general businesses has been modernized, moving from the current zone-based categories (e.g., Commercial Business, Industrial Business) to a new activity-based system. Rationale: The zone-based system was deemed unfair and restrictive; the new activity-based system is fairer, more flexible, and more reflective of the actual business activity.	Part 5, Section 5.1
7	Revised Home-Based Business Categories	The previous general categories (Home Occupation, Home Occupation - Contractor) have been replaced with three distinct categories: Home Industry, Home Occupation (Major), and Home Occupation (Minor). Rationale: The previous home occupation categories were deemed unfair; the new categories align the Business Licence Bylaw with the distinctions and regulations established in the District's new Zoning Bylaw, providing clearer, fairer, and more enforceable guidelines for different scales of home-based operations.	Part 5, Section 5.2

Detailed Section-by-Section Comparison (Structured by New Bylaw Parts)

This section compares the new structure of the Draft Bylaw No. [XXX], 2025 against the relevant provisions in the current Bylaw No. 644, 2017. The structure of this comparison exactly mirrors the Parts of the New Bylaw .

PART 2 – GENERAL PROVISIONS

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
2.1 Forms and Procedures	Schedules A, B, C, D, E	NEW	Removes forms from the bylaw. Rationale: Provides staff with the necessary flexibility to update administrative forms and procedures as operational needs evolve, without requiring a bylaw amendment.
2.3 Severability	N/A	NEW	Standard legal clause to protect the remainder of the bylaw if a part is found invalid.

PART 3 – DEFINITIONS

This section was substantially revised to support the new activity-based categories, incorporate new home-based business terms, and improve clarity.

Key New Definitions/Changes	Current Bylaw Equivalent	Type of Change	Rationale/Comment
Activity-Based Definitions (e.g., SALES BUSINESSES, ACCOMMODATION SERVICES)	COMMERCIAL BUSINESS, INDUSTRIAL BUSINESS	NEW	New definitions to support the shift from zone-based to activity-based classification. Rationale: The zone-based system was deemed unfair and restrictive; the new system is fairer and more flexible.

Key New Definitions/Changes	Current Bylaw Equivalent	Type of Change	Rationale/Comment
Home-Based Business Definitions (HOME INDUSTRY, HOME OCCUPATION MAJOR/MINOR)	HOME OCCUPATION, HOME OCCUPATION - CONTRACTOR	NEW/REPLACED	Aligns the Business Licence Bylaw with the new Zoning Bylaw. Rationale: The previous categories were deemed unfair and the new structure provides clearer, fairer, and more enforceable guidelines.
SHORT-TERM RENTAL	SHORT TERM RENTAL	Substantive	Substantive Change: Updated to reflect the recent Provincial Legislation on short-term rentals and Zoning Bylaw No. 747, 2025, ensuring compliance.

PART 4 – LICENCE REQUIREMENTS AND COMPLIANCE

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
4.1.1 E-Commerce	N/A	NEW	Already applicable in Tumbler Ridge but not clear in the current bylaw. Clarifies that businesses operating solely online within the District are still required to be licensed.
4.2 Prohibition: Door-to-Door Solicitation	15.5	Substantive	Kept the prohibition, providing necessary exemptions for community groups.

PART 5 – BUSINESS LICENCE CATEGORIES

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
5.1 Activity-Based Categories	Schedule "C" (Zone-based)	NEW	Formalizes the shift from zone-based to activity-based categories. Rationale: The zone-based system was deemed unfair and restrictive; the new system is fairer and more flexible.
5.2 Home-Based Business Categories	Part Eleven, Schedule "C"	NEW	Formalizes the new home-based business structure. Rationale: The previous categories were deemed unfair and the new structure provides clearer, fairer, and more enforceable guidelines.
5.4 Category Determination	N/A	NEW	Provides a clear mechanism for the Licensing Officer to determine the appropriate category for a business, ensuring consistent application of the new classification system.

PART 6 – BUSINESS LICENCE APPLICATION

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
6.5 Application Processing	N/A	REVISED	Clarifies the process and consolidates related provisions from the current bylaw into a single, cohesive section.

PART 7 – INSPECTIONS (NEW)

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
Part 7 Title	Part Seven – INSPECTION (7.1)	NEW PART	Extracted and expanded the inspection provisions into its own dedicated Part for clarity and emphasis on the compliance process.

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
7.4 Inspection Costs	N/A	NEW	Introduces the possibility of applying an inspection fee, which may be established through the Fees and Charges Bylaw at Council's discretion in the future.

PART 8 – LICENCE ISSUANCE AND CONDITIONS

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
Overall	Part Six, 6.1	Structural	Reorganized the section and refined the wording to improve clarity and practical application.

PART 9 – LICENCE RENEWAL

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
9.3 Late Fee for Non-Renewal	N/A	NEW	Introduces the possibility of applying a late fee (for renewal between February 1 and March 31), which may be established through the Fees and Charges Bylaw at Council's discretion in the future. This aims to encourage timely renewal and reduce administrative burden.

PART 10 – LICENCE AMENDMENT (NEW)

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
Part 10 Title	4.8 (Amendment Fee)	NEW PART	Creates a dedicated Part for the process of amending a licence (e.g., change of activity or location), which was previously only mentioned briefly.

PART 11 – LICENCE TRANSFER

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
11.3 Authorization of Transfer by Current Licensee	N/A	NEW	Formalizes the requirement for the current licensee to authorize the transfer, adding a necessary layer of administrative control and clarity.

PART 12 – FEES AND CHARGES

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
12.2 Fee Reduction	4.4 (Half-fee after July 31)	Structural	Half-fee date is moved to the Fees and Charges Bylaw, which is used for applicable fees.

PART 13 – DELEGATION OF AUTHORITY (NEW)

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
Part 13 Title	N/A (Implicit in 6.1)	NEW PART	Creates a dedicated Part to formally delegate authority to the Licensing Officer, ensuring administrative clarity and efficiency.
13.2 Referral to Council	6.1	Structural	Clarifies the specific instances where a matter can be referred to Council.

PART 14 – ENFORCEMENT (REVISED)

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
14.1 Compliance Orders	N/A	NEW	Introduces the use of formal Compliance Orders as an intermediate enforcement tool before proceeding to suspension or penalties.
14.3 Offences and Penalties	Part Fourteen, 14.4	Structural	Removes specific fine amounts from the bylaw, ensuring that all penalties are governed by the Municipal Ticketing Information Bylaw and in accordance with legislative limits.

PART 15 – RECONSIDERATION PROCESS (BROUGHT FROM THE DELEGATION OF AUTHORITY BYLAW AND REVISED)

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
Part 15	N/A (Implicit in 6.1)	NEW PART	Brought forward from the Delegation of Authority Bylaw. Rationale: Ensures transparency and due process for applicants or licensees seeking to appeal a refusal, suspension, or cancellation decision issued by the Licensing Officer. This provision was relocated because the Delegation of Authority Bylaw was not the appropriate instrument to address this matter.
15.1 Right to Reconsideration	N/A (Implicit in 6.1)	NEW	Formalizes the right to appeal the Licensing Officer’s decision to Council.
15.2 Reconsideration Application	N/A	NEW	Outlines the requirements for submitting a request for reconsideration.

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
15.3 Reconsideration Process	N/A	NEW	Provides a general framework for how Council should review a reconsideration application, replacing the overly detailed process currently set out in the Delegation of Authority Bylaw, which goes beyond administrative procedure boundaries.

PART 16 – SPECIAL LICENCE CATEGORIES APPLICATION

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
16.2 Mobile Vendors	15.2	Structural	Retained, but simplified due to the new consolidated definition of MOBILE VENDOR, instead of Mobile Food Vendor and Mobile Retail Vendor.
16.2.2 and 16.3.4	15.3(a), Schedule B and Schedule C	Procedural	Clarifies authority to permit vendors and events on District property and updates insurance requirements to align with the current practices of the District's insurance provider.
16.3 Events and Community Markets	SPECIAL EVENT BUSINESS LICENCE, COMMUNITY MARKET	Structural	Combines and clarifies the requirements for temporary events involving multiple vendors.
16.5 Temporary Licence	TEMPORARY LICENCE (Definition only)	NEW	Creates a dedicated section for the application and conditions of a Temporary Licence to facilitate applicability.
16.6 Non-Resident Business	NON- RESIDENT (Definition only)	NEW	Creates a dedicated section for the application and conditions of a Non-Resident Business Licence to facilitate applicability.

New Bylaw Section	Current Bylaw Equivalent	Type of Change	Rationale/Comment
16.7 Short-Term Rental	N/A	Substantive	Adjusts existing sections for the regulation of Short-Term Rentals, reflecting the current Provincial Legislation.
N/A Cannabis Business	15.4	Structural	Removes the requirement for a separate Council resolution, as the Provincial cannabis licensing process already requires Council approval prior to business licensing.